

ORDINANCE NO. 2025 – 01

AN ORDINANCE OF THE CITY COMMISSION OF DELAND, FLORIDA, ANNEXING A PARCEL OF LAND TOTALING APPROXIMATELY +/- 21.07 ACRES OF PROPERTY LOCATED ON THE NORTHWEST CORNER OF SOUTH BLUE LAKE AVENUE AND EAST BERESFORD AVENUE AND ADJACENT RIGHT-OF-WAY; AMENDING CITY BOUNDARIES TO INCLUDE THE ANNEXED PROPERTIES; AFFIRMING COMPLIANCE WITH STATUTORY PROCEDURE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Petitioner, Scott Banta, submitted a petition for annexation of approximately +/- 21.07 acres of land located on the northwest corner of South Blue Lake Avenue and East Beresford Avenue and adjacent right-of-way; and

WHEREAS, the subject property to be annexed is currently vacant; and

WHEREAS, the area to be annexed is contiguous to the boundaries of the City of DeLand on the east, will not create an enclave if annexed, is reasonably compact, is not circuitous, and otherwise meets the requirements of *Chapter 171, Florida Statutes*.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF DELAND, FLORIDA:

Section 1. The following described parcel of land in Volusia County, Florida, for which a petition for annexation has been received from the Petitioner, Scott Banta, totaling approximately +/- 21.07 acres, located on the northwest corner of South Blue Lake Avenue and East Beresford Avenue and adjacent right-of-way, is hereby annexed and made part of the City of DeLand, subject to the jurisdiction, obligations, benefits and privileges of property within the municipality:

See legal description(s) attached hereto as Exhibit “A”

Parcel Identification No. 701500000720

Section 2. The boundary lines of the City of DeLand are hereby changed and redefined to include the lands described in Section 1 above and depicted on the map attached hereto as Exhibit “B” and by this reference made a part hereof.

Section 3. The City Commission finds that a public hearing has been held on this Ordinance prior to adoption in the Commission Chambers, City Hall, 120 S. Florida Avenue, DeLand, Florida, at 7:00 P.M., on March 3, 2025, after notice published in accordance with Florida Statutes Section 171.044.

Section 4. This Ordinance shall become effective immediately upon its adoption.

PASSED AND DULY ADOPTED this 3rd day of March, 2025.



Christopher M. Cloudman
Mayor-Commissioner




Julia M. Hewitt
Interim City Clerk - Auditor

Passed on first reading: January 22, 2025
Adopted on second reading: March 3, 2025

APPROVED AS TO FORM AND LEGALITY:


Darren J. Elkind
City Attorney

EXHIBIT "A"

DESCRIPTION: METES AND BOUNDS DESCRIPTION FOR PARENT
PARCEL

FOR ANNEXING (CREATED BY SURVEYOR)

THE SOUTH HALF (S 1/2) OF THE SOUTHEAST QUARTER (SE 1/4)
OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 15,
TOWNSHIP 17 SOUTH, RANGE 30 EAST, SUBJECT TO THE RIGHT
OF WAY OF PUBLIC ROADS AND OF EASEMENTS TO HOUSTON
TEXAS GAS AND OIL CORPORATION, RECORDED IN OFFICIAL
RECORDS BOOK 421, PAGE 668 AND TO FLORIDA POWER
CORPORATION, RECORDED IN OFFICIAL RECORDS BOOK 899,
PAGE 470, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA,
AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGIN AT A 5/8" IRON BAR AND CAP #3019 MARKING THE
NORTHEAST CORNER OF THOSE LANDS RECORDED IN OFFICIAL
RECORDS BOOK 7109, PAGE 363, OF THE PUBLIC RECORDS OF
VOLUSIA COUNTY, FLORIDA; THENCE RUN S01°03'59"E, ALONG
THE WEST RIGHT OF WAY LINE OF SOUTH BLUE LAKE AVENUE,
(A 200.00 FOOT RIGHT OF WAY) A DISTANCE OF 495.84 FEET TO A
POINT ON THE NORTH RIGHT OF WAY LINE OF EAST BERESFORD
AVENUE FOR VOLKUSIA COUNTY RIGHT OF WAY AQUISITION
PROJECT NUMBER 5779; THENCE RUN S88°50'48"W, ALONG SAID
NORTH RIGHT OF WAY LINE, A DISTANCE OF 57.24 FEET TO THE
POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY
HAVING A RADIUS OF 1590.00 FEET; THENCE CONTINUE ALONG
SAID RIGHT OF WAY LINE AND ALONG SAID CURVE PASSING
TRHROUGH A CENTRAL ANGLE OF 15°37'47", AND HASVING AN
ARC LENGTH OF 433.74 FEET, SAID CURVE BEING SUBTENDED
BY A CHORD BEARING AND DISTANCE OF S81°01'54"W, 432.39
FEET, TO A POINT OF REVERSE CURVE; THENCE CONTINUE
ALONG SAID NORTH RIGHT OF WAY LINE AND ALONG THE ARC
OF SAID CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS
OF 1520.00 FEET; THENCE RUN SOUTHWESTERLY ALONG THE
ARC OF SAID CURVE, PASSING THROUGH A CENTRAL ANGLE OF
02°57'45" AND HAVING AN ARC LENGTH OF 78.59 FEET, SAID
CURVE BEING SUBTENDED BY A CHORD BEARING AND
DISTANCE OF S74°51'53"W, 78.59 FEET TO A POINT ON THE EAST

LINE OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 15; THENCE RUN S01°14'18"E, ALONG THE EAST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 15, A DISTANCE OF 7.21 FEET TO THE INTERSECTION WITH THE NORTH LINE OF A 30.00 FOOT EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 421, PAGE 668, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; THENCE RUN S88°57'54"W, ALONG THE NORTH LINE OF SAID EASEMENT, A DISTANCE OF 38.39 FEET; THENCE RUN S01°09'46"E, A DISTANCE OF 25.68 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF SAID EAST BERESFORD AVENUE; THENCE RUN S89°08'15"W, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 598.30 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE SOUTH MASSACHUSETTE AVENUE; THENCE RUN N00°56'02"W, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 602.08 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 15; THENCE RUN N88°46'23"E, ALONG THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 15, A DISTANCE OF 1196.93 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 15.50 ACRES.

DESCRIPTION: EAST BERESFORD AVENUE, S. BLUE LAKE AVENUE AND S. MASSACHUSETTS AVENUE
FOR ANNEXING (CREATED BY SURVEYOR)

A PORTION OF RIGHT OF WAYS FOR ANNEXATION, LYING IN AND BEING A PORTION OF SECTIONS 14 AND 15, TOWNSHIP 17 SOUTH, RANGE 30 EAST, VOLUSIA COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGIN AT A 5/8" IRON BAR AND CAP #3019 MARKING THE NORTHEAST CORNER OF THOSE LANDS RECORDED IN OFFICIAL RECORDS BOOK 7109, PAGE 363, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; THENCE RUN N88°50'19"E, ALONG AN EASTERLY PROJECTION OF THE NORTH LINE OF THOSE LANDS RECORDED IN SAID OFFICIAL RECORDS BOOK 7109,

PAGE 363, A DISTANCE OF 200.05 FEET, TO A 5/8" IRON BAR AND CAP #LB 1, MARKING THE EAST RIGHT OF WAY LINE OF SOUTH BLUE LAKE AVENUE; THENCE RUN S01°03'45"E, ALONG THE EAST RIGHT OF WAY LINE OF SAID SOUTH BLUE LAKE AVENUE, A DISTANCE OF 646.03 FEET TO THE INTERSECTION WITH THE EASTERLY PROJECTION OF THE CENTERLINE OF EAST BERESFORD AVENUE; THENCE RUN S88°51'11"W, ALONG THE CENTERLINE OF SAID EAST BERESFORD AVENUE, A DISTANCE OF 1423.27 FEET TO THE INTERSECTION WITH THE CENTERLINE OF SOUTH MASSACHUSETTS AVENUE; THENCE RUN N00°56'02"W, ALONG THE CENTERLINE OF SAID SOUTH MASSACHUSETTS AVENUE, A DISTANCE OF 644.27 FEET; THENCE RUN N88°46'23"E, ALONG AN EASTERLY EXTENSION OF THE NORTH LINE OF THOSE LANDS RECORDED IN SAID OFFICIAL RECORDS BOOK 7109, PAGE 363, A DISTANCE OF 24.80 FEET TO THE INTERSECTION WITH THE EAST RIGHT OF WAY LINE OF SAID SOUTH MASSACHUSETTS AVENUE; THENCE RUN S00°56'02"E, ALONG THE EAST RIGHT OF WAY LINE OF SAID SOUTH MASSACHUSETTS AVENUE, A DISTANCE OF 602.08 FEET TO A 5/8" IRON BAR AND CAP #3019 MARKING THE INTERSECTION WITH THE NORTH RIGHT OF WAY LINE OF EAST BERESFORD AVENUE; THENCE RUN N89°08'15"E, ALONG THE NORTH RIGHT OF WAY LINE OF SAID EAST BERESFORD AVENUE, A DISTANCE OF 598.30 FEET, TO A 5/8" IRON BAR AND CAP 3019; THENCE CONTINUE ALONG THE NORTH RIGHT OF WAY LINE OF SAID EAST BERESFORD AVENUE N01°09'46"W, A DISTANCE OF 25.68 FEET TO A 5/8" IRON BAR AND CAP #3019; THENCE CONTINUE ALONG SAID NORTH RIGHT OF WAY LINE OF SAID EAST BERESFORD AVENUE, A DISTANCE OF 38.39 FEET; THENCE CONTINUE ALONG SAID NORTH RIGHT OF WAY LINE OF SAID EAST BERESFORD AVENUE, N01°14'18"W, A DISTANCE OF 7.22 FEET TO A POINT ON THE ARC OF A CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 1520.00 FEET; THENCE CONTINUE ALONG THE NORTH RIGHT OF WAY LINE OF SAID EAST BERESFORD AVENUE AND ALONG THE ARC OF SAID CURVE, PASSING THROUGH A CENTRAL ANGLE OF 02°57'45" AND HAVING AN ARC LENGTH OF 78.59 FEET, SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF N74°41'53"E, 78.58 FEET TO A POINT OF REVERSE CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 1590.00 FEET;

THENCE CONTINUE ALONG SAID NORTH RIGHT OF WAY LINE AND ALONG THE ARC OF SAID CURVE, PASSING THROUGH A CENTRAL ANGLE OF $15^{\circ}37'47''$ AND HAVING AN ARC LENGTH OF 433.74 FEET, SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF $N81^{\circ}01'54''$, 432.39 FEET TO THE POINT OF TANGENCY; THENCE CONTINUE ALONG SAID NORTH RIGHT OF WAY LINE $N88^{\circ}50'48''E$, 57.24 FEET TO A POINT OF INTERSECTION WITH THE WEST RIGHT OF WAY LINE OF SAID SOUTH BLUE LAKE AVENUE; THENCE RUN $N01^{\circ}03'59''W$, ALONG THE WEST RIGHT OF WAY LINE OF SAID SOUTH BLUE LAKE AVENUE, A DISTANCE OF 495.84 FEET TO THE POINT OF BEGINNING.

SAID RIGHT OF WAY CONTAINS 5.57 ACRES

TOTAL 21.07 ACRES

"EXHIBIT B"

